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38. (Amended) An apparatus for sending data, received on a subscriber line connected to a subscriber line module communicating with a central office comprising a switch, directly to a router, comprising:

means for identifying the presence of a data call at the subscriber line module
[;] [means] for intercepting the data on the subscriber line; and
means for sending the data directly to the router while bypassing the switch.

REMARKS

Claims 32-39 are pending in this application. In the office action mailed August 30, 2000, claim 32 was rejected under 35 U.S.C. § 112, ¶ 2 (office action ¶ 3, page 2) and claims 32-39 were rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent No. 5,793,769 (Muroño et al.) (office action ¶ 5, pages 3-4). The claims have been amended as set forth above and reconsideration is respectfully requested.

Claim 32 has been amended to overcome the rejection under § 112. (The office action states that claim 1 is rejected, but the applicant believes that the rejection refers to claim 32.)

All of the claims recite either the step of "at the subscriber line module, intercepting the data on the subscriber line" (independent method claim 32 and dependent claims 33-37) or "means, at the subscriber line module, for intercepting the data on the subscriber line" (independent apparatus claim 38 and dependent claim 39). Muroño et al., the cited reference, does not disclose, teach, or suggest this limitation and there is nothing in the reference that would render such a step or means obvious to one skilled in the art. Moreover, it should be noted that Muroño et al. does not concern a telephone network and thus does not disclose, teach, or suggest the claimed environment (a "subscriber line connected to a subscriber line module communicating with a central office"). Therefore, independent claims 32 and 38 are allowable and dependent claims 33-37 and 39 are also allowable.

The applicant respectfully requests that the examiner pass the application to allowance.

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Respectfully submitted,


Joel Miller, Esq.
Registration No.: 29,955
17 Westwood Drive South
West Orange, N.J. 07052
Phone: 973-736-8306